

November 13, 2017

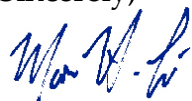
Chairman Ajit Pai
Federal Communications Commission
445 12th Street, S.W.
Washington, D.C. 20554

RE: Restoring Internet Freedom, WC Docket No. 17-108

Dear Chairman Pai:

As you move closer to further action on Restoring Internet Freedom (WC Docket No. 17-108), I firmly believe there are two elements that should be reflected in the Order. The first is removing harmful Title II regulations, and the second is recognizing the internet as an interstate service. I believe that these actions would result in massive new investment in broadband infrastructure that will help close the digital divide. I made these points in a recent opinion article published by *Inside Sources*. Please find it attached.

Sincerely,



Mario H. Lopez
President

P.S. Please note that this letter is a resubmission. An earlier version of this letter, also filed via the FCC website on November 13, 2017, mistakenly attached the wrong enclosure to this letter.

Enclosure



[IS] OPINIONS ■ Technology

The Real Way to Protect Internet Openness

Posted to Technology October 31, 2017 by [Mario H. Lopez](#)

In April, Federal Communications Commission (FCC) Chairman Ajit Pai gave a historic speech about the future of the internet. I was proud to make introductory remarks and stand by his side as he announced this FCC's plan to roll back heavy-handed, Obama-era internet regulations and return to the same policy framework that allowed the internet to evolve and flourish for decades.

Removing harmful regulations and returning broadband internet access service to its previous designation as a Title I service under the Communications Act, while also implementing an internet regulatory framework that recognizes the internet is an interstate service, will spur massive new investment in broadband infrastructure. These investments are crucial to helping connect more Americans to the internet and closing the [digital divide](#)—delivering new economic opportunities to all Americans, particularly to underserved communities.

The internet is an essential tool in the modern world. If you aren't connected, you're left behind. And sadly, this is a reality far too many in underserved communities understand. For example, according to a recent [study](#), smartphones are the only source of home internet for nearly one-quarter of Hispanics. For comparison, this is true for fifteen percent of African Americans and nine percent of non-Hispanic whites.

While there isn't a silver bullet for these challenges, reducing the regulatory burdens implemented in 2015 on those trying to build new broadband networks is a critical step. Chairman Pai began a very public and transparent process this year to do just that.

Real problems like the digital divide were not prioritized in 2015. Instead, the FCC chose to address a nonexistent problem when it reclassified internet services as public utility or "Title II" services. At the direction of President Obama and urged by certain groups of "activists," then-FCC Chairman Tom Wheeler placed regulations on the internet that were written in the 1930's for a then-nascent telephone network. This change by Wheeler gave government a new and unbounded authority to regulate the internet.

One of the principal results of this approach was less investment in internet networks. Multiple reports point to billions of dollars of lost investment as a direct result of Title II reclassification. [One estimate](#) puts the lost revenue between \$20 and \$30 billion. Network

investment is the predicate to greater and more widespread high-speed internet access—a key issue for closing the digital divide.

As I said in [recent comments](#) to the FCC on net neutrality, “Policymakers who created the Title II framework for the wireline telephone system in the 1930s could never have foreseen the development of the modern internet, much less intended that their regulations be applied to such a dynamic, revolutionary technology.”

Other, often loud, voices disagree. Radical online groups led by the overtly Marxist organization Free Press, have long pushed for a government takeover of the internet and regularly make false—and at times even [racist](#)—claims to mislead people who care about the internet and stir up online activity. The Free Press-led groups includes The National Hispanic Media Coalition and other organizations that falsely claim to be for an open internet, when in fact the policies they push lead directly to more government control—the exact opposite of what made the internet flourish to begin with.

The hypocrisy rings loud. In a June op-ed, former FCC Commissioner Gloria Tristani, NHMC’s Special Policy Advisor, criticized Chairman Pai, attacking his integrity, and making false charges about openness and transparency at the FCC. This accusation is clearly baseless as we witness Chairman Pai [continue to prioritize](#) these functions. In fact, he’s already delivered. This is in stark contrast to the FCC under Tom Wheeler, who while carrying water for these radical groups, closed off FCC meetings, refusing to reveal the commission’s agenda to the public, and even went so far as to not reveal what the commission’s votes were until after they occurred.

Ms. Tristani’s duplicity goes further. In her current position, Ms. Tristani is clearly for the imposition of the outdated Title II regulations. But when she represented the Communications Workers of America as an attorney in private practice, [she argued](#) Title II regulation of broadband providers would have the impact of “chilling job-creating investment and innovation by broadband network providers.”

Ms. Tristani had it right the first time. Anyone who truly cares about preserving an open internet should simply take even a cursory look at how it became the now hugely important tool that is revolutionizing entire industries and increasing educational and economic opportunities for average Americans. All that happened with minimal government control, and that is why ancient Title II regulations are, at best unnecessary, and at worst threaten the benefits that have come from a flourishing internet.



About the Author

Mario H. Lopez

Mario H. Lopez is president of the Hispanic Leadership Fund. He also spearheads the Alliance for Innovation, which focuses on sustainable, long-term development across the world.